

Message Text

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ACTION EB-07

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C O N F I D E N T I A L LONDON 19131

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJ: CIVAIR - US-UK CIVIL AVIATION NEGOTIATIONS

REF: STATE 285290 19 NOV 76

1. FOREIGN AND COMMONWEALTH OFFICE HAS BEEN KEEPING CLOSE WATCH OVER US/UK NEGOTIATION TALKS AND HAD REPRESENTATIVE AT SIDE DISCUSSIONS ON MIAMI/CHICAGO ISSUE BETWEEN ROGERS AND BILLER.

2. HEAD OF FCO MARINE AND TRANSPORT OFFICE (ADRIAN BUXTON) RESPONSIBLE FOR AVIATION, HAS TOLD US FCO LAWYERS FIND NO PROBLEM WITH DEPT OF TRADE'S INTERPRETATION OF BERMUDA AGREEMENT IN RESPECT TO CAPACITY. NOR HAVE WE DETECTED OTHER AREAS IN WHICH FCO DISAGREES WITH DOT.

3. FCO'S UNDER SECRETARY IN CHARGE OF ECONOMIC AFFAIRS TOLD US FCO HAS HAD PROBLEMS WITH EXTREME POSITIONS ADOPTED BY UK "AVIATION NEGOTIATIONS" AND SAID IT IS HIS UNDERSTANDING THAT US HAS HAD SIMILAR PROBLEMS WITH ITS AVIATION AUTHORITIES. HIS VIEW IS THAT SINCE INSTRUMENT TO REPLACE BERMUDA AIR SERVICES AGREEMENT CAN BE EXPECTED TO BE A COMPROMISE BETWEEN PRESENT US AND UK POSITIONS, BOTH SIDES SHOULD SEE TO IT THAT THEIR DELEGATIONS AVOID FURTHER CONFRONTATIONS, STOP THREATENING EACH
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OTHER AND PROCEED IN CALM AND ORDERLY FASHION TO REACH

THAT COMPROMISE.

4. COMMENT: WE AGREE WITH DEPT THAT INVISIBLE HAND OF FCO HAS NO DOUBT BEEN RESTRAINING INFLUENCE ON MORE EXTREME POSITIONS OF DEPT OF TRADE AND, PROBABLY, HELPED TO BRING ABOUT COMPROMISE WHICH RESOLVED MIAMI/CHICAGO AND HONG KONG/SIDNEY DISPUTES. FCO INFLUENCE MAY ALSO HAVE BEEN IMPORTANT IN HAVING AMBASSADOR RAMSBOTHAM GIVE ASSURANCES IN OCT 8 CALL ON DEPUTY SECRETARY THAT UK "HAD NO PRESENT INTENTION" TO TAKE FURTHER UNILATERAL ACTIONS DURING COURSE OF NEGOTIATION. QUALIFICATIONS ATTACHED TO "ASSURANCES", HOWEVER, CERTAINLY DEMONSTRATE STRENGTH OF DEPT OF TRADE'S POSITION AND DOT'S INTENTION TO RETAIN CONSIDERABLE FREEDOM TO TAKE FURTHER UNILATERAL ACTIONS IF IT CONSIDERS THEM NECESSARY. IT SEEMS TO US THAT STRONG, CREDIBLE COUNTERACTION TAKEN BY US IN INVOKING AND FOLLOWING THROUGH ON CAB 213 PROCEDURE WAS MAJOR FACTOR IN UK'S DECISION TO COMPROMISE ON CAPACITY ORDERS. WE AGREE WITH DEPUTY ASSISTANT SECRETARY BILLER'S COMMENT IN LONDON 15302 THAT UK'S INTENTION WAS TO MAINTAIN CAPACITY ORDERS ON MIAMI/CHICAGO AS LONG AS POSSIBLE TO EXTRACT WHATEVER ADDITIONAL CONCESSIONS WERE POSSIBLE BEFORE RESCINDING IT OR ACCEPTING US COUNTER-ACTION IF THAT WERE TO APPEAR LESS COSTLY. IN SUM, THEN, IT IS OUR JUDGMENT THAT FCO CAN BE EXPECTED TO MODERATE THE DEPT OF TRADE'S ACTIONS BUT IT SHOULD NOT BE ASSUMED THAT THERE IS ANY BASIC DIS-AGREEMENT BETWEEN THE TWO AGENCIES OVER THE UK'S OBJECTIVES IN THE RENEGOTIATION. OUR BEST TACTIC TO REDUCE THE LIKLIHOOD OF FURTHER UK UNILATERAL ACTIONS DURING THE COURSE OF THE RENEGOTIATION WILL BE TO MAKE SURE THE DEPT OF TRADE UNDERSTANDS WE WILL ACT QUICKLY AND FIRMLY TO COUNTER THEM. IT WOULD ALSO HELP IF WE CAN AVOID UNILATERAL ACTIONS ON OUR SIDE.

ARMSTRONG

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